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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,437	12/31/2001	Joe G. Bristor		5691

7590

03/29/2004

Bristor Joe G.
23837 108th Av SE # 425
Kent, WA 98031

EXAMINER

STINSON, FRANKIE L

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,437

Applicant(s)

BRISTOR, JOE G.

Examiner

FRANKIE L. STINSON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 and 7-15 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/31&2/20/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of either Heden or Oberdorfer.

Re claim 4, Shafer is cited disclosing a spraying device for storing, transporting, and dispensing a plurality of chemicals, comprises: a container (30) having a base, a sidewall having a rim opposite the base and defining an interior of said container, whereby container is used for storing a plurality of chemical concentrates (25-28); a venturi injector (54) operably connected in line between an upstream source of fluid supply (16) and a downstream fluid delivery means (32); a chemical dilution means comprises mixing of pressurized fluid flowing thru said venturi injector with said chemical concentrate introduced to said venturi injector by a chemical draw means; said chemical draw means comprises siphoning of said chemical concentrate from a releasable fluid connection means between a draw tube (52) extending fixedly from said venturi injector to a chemical supply means; said chemical supply means comprises a plurality of supply jars (25-28) disposed within said container (30), each of said supply jars designated a supply tube, each said supply tube joined by releasable fluid connection means to said draw tube; and a chemical dispensing means comprises flow of a pressurized dilute chemical solution from downstream side of venturi injector to a target surface, whereby a dilute chemical solution is dispensed to said target surface by

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fluid delivery means which comprises a spray gun or a carpet cleaner's wand that differs from the claim only in the recitation of the check valve at the venturi. The patents to Oberdorfer, Heden are each cited disclosing in a chemical spraying device, the arrangement of providing a check valve (6 in Heden and 13 in Oberdorfer) at a venturi. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Shaffer, to include a check valve at the venturi as taught by either Oberdorfer or Heden, for the purpose of preventing the back flow of liquid to the chemical source. Re claim 5, Shaffer disclose the quick disconnect coupling

3. Claims 1-3 and 6-15 are allowed.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Aiello et al., Smith, Jarvis, Futrell, Harmes et al., Simonette, Shero, Martinez et al., Duckett et al., Mashimo et al., Germany'555, Germany'880 and Switall, note the spraying means.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached M-F from 5:30 a.m. to 2:00 p.m. and some Saturdays from 5:30 a.m. to 11:30 a.m.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to TECHNOLOGY CENTER 1700 (571) 272-1700.

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Any inquiry for missing parts of this Office Action (copies of references, pages, forms etc.), contact the TEAM LEADER Ms. Nicol Scott (571) 272-1045.

fls

A handwritten signature in black ink, appearing to read "Frankie L. Stinson". The signature is stylized with a large, looped "F" and a long horizontal stroke extending to the right.

FRANKIE L. STINSON
Primary Examiner
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